

## Message Text

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ACTION AF-10

INFO OCT-01 ISO-00 L-03 SCA-01 CIAE-00 INR-07 NSAE-00  
SCS-03 VO-03 INSE-00 /028 W  
-----290207Z 029015 /12  
R 281309Z APR 77  
FM AMEMBASSY MONROVIA  
TO SECSTATE WASHDC 4450

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E.O. 11652: N/A  
TAGS: CGEN, PINS, LI  
SUBJECT: LIBERIAN REQUEST FOR REVISION OF CONSULAR CONVENTION  
OF 1938

1. EMBASSY HAS RECEIVED NOTE FROM LIBERIAN FOREIGN MINISTRY RE-  
QUESTING AN AMENDMENT OF THE CONSULAR CONVENTION BETWEEN THE UNITED

STATES OF AMERICA AND LIBERIA, SIGNED AT MONROVIA, OCTOBER 7, 1938.  
THE NOTE WAS DATED APRIL 7, 1977 AND WAS RECEIVED BY EMBASSY  
APRIL 12, 1977. TEXT IS AS FOLLOWS: BEGIN TEXT: MR. AMBASSADOR:  
I HAVE THE HONOUR TO REFER TO THE CONSULAR CONVENTION BETWEEN THE  
UNITED STATES OF AMERICA AND LIBERIA SIGNED AT MONROVIA, OCTOBER 7,  
1938 AND TO ADVISE THAT MY GOVERNMENT PROPOSES THAT THE TERM OF  
THE AGREEMENT BE AMENDED TO INCLUDE A CLAUSE REQUIRING THE  
GOVERNMENT OF EACH OF THE HIGH CONTRACTING PARTIES TO INFORM THE  
CONSULAR OFFICER OR, IN THE ABSENCE OF A CONSULAR OFFICER, THE  
DIPLOMATIC REPRESENTATIVE OF THE OTHER HIGH CONTRACTING PARTY  
WHenever A NATIONAL OF EITHER OF THE HIGH CONTRACTING STATE (SIC) IS  
APPREHENDED BY ITS POLICE OR IMMIGRATION AUTHORITIES WHETHER  
OR NOT THE DETAINEE REQUESTS SUCH NOTIFICATION. IN THIS  
CONNECTION, I HAVE THE HONOUR TO ADVISE YOU THAT MY GOVERNMENT  
PROPOSES AN AMENDMENT TO ARTICLE VI OF THE SAID  
AGREEMENT SO THAT THE SECOND PARAGRAPH CAN READ AS FOLLOWS:  
QUOTE: IN CASE OF THE ARREST AND/OR DETENTION OF A NATIONAL OF  
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EITHER HIGH CONTRACTING PARTY IN THE TERRITORY OF THE OTHER  
BY THE POLICE OR IMMIGRATION AUTHORITIES: (A) THE COMPETENT LOCAL  
AUTHORITIES SHALL AT ONCE INFORM THE NEAREST CONSULAR OFFICER OR  
DIPLOMATIC REPRESENTATIVE OF THE STATE OF WHICH THE PRISONER OR  
DETAINEE IS A NATIONAL WHETHER OR NOT THE DETAINEE REQUEST  
SUCH NOTIFICATION; (B) CONSULAR OFFICERS SHALL HAVE THE RIGHT  
TO INTERVIEW, TO COMMUNICATE WITH, AND TO ADVISE THEIR COUNTRYMEN

WITHIN THEIR CONSULAR DISTRICTS; (C) UPON NOTIFICATION TO THE APPROPRIATE AUTHORITY, TO VISIT ANY OF THEIR COUNTRYMEN WHO ARE IMPRISONED OR DETAINED BY AUTHORITIES OF THE STATE IN WHICH THEY EXERCISE THEIR CONSULAR FUNCTIONS; TO ASSIST THEM IN PROCEEDINGS BEFORE OR RELATIONS WITH SUCH AUTHORITIES; AND TO INQUIRE INTO ANY INCIDENTS WHICH HAVE OCCURRED WITHIN THE CONSULAR DISTRICT AFFECTING THE INTERESTS OF THEIR COUNTRYMEN; (D) NATIONALS OF EITHER OF THE HIGH CONTRACTING PARTIES SHALL HAVE THE RIGHT AT ALL TIMES TO COMMUNICATE WITH THE CONSULAR OFFICERS OF THEIR COUNTRY. UNQUOTE. IF THIS AMENDMENT IS ACCEPTABLE TO YOUR EXCELLENCY'S GOVERNMENT, THIS NOTE AND YOUR EXCELLENCY'S REPLY CONCURRING THEREIN SHALL CONSTITUTE AN AMENDMENT OF THE AGREEMENT. PLEASE ACCEPT, EXCELLENCY, THE ASSURANCES OF MY HIGHEST CONSIDERATION. SIGNED T. SIAFA SHERMAN, ACTING MINISTER. END TEXT.

2. COMMENT: PROPOSED AMENDMENT OF THE TEXT INTRODUCES THE SPECIFIC TERMS "POLICE OR IMMIGRATION AUTHORITIES" IN PLACE OF "AUTHORITIES," AND SPECIFIES THAT NEAREST CONSULAR OFFICER OR DIPLOMATIC REPRESENTATIVE BE NOTIFIED WHETHER DETAINEE REQUESTS SUCH NOTIFICATION OR NOT. FEEL IT LIKELY THAT SOME SPECIFIC INCIDENT, OF WHICH EMBASSY UNAWARE, HAS SPARKED REQUEST FOR AMENDMENT OF ARTICLE VI. EMBASSY INFORMED BY LEGAL COUNSELOR'S OFFICE IN FOREIGN MINISTRY THAT NOTE INSPIRED BY SUGGESTION OF LIBERIAN AMBASSADOR IN U.S. WHO HAS APPARENTLY BEEN TROUBLED BY LARGE NUMBER OF LIBERIANS DETAINED AND DEPORTED BY INS, WITHOUT KNOWLEDGE OF GOL. WHILE INTERESTED IN ALL POSSIBLE INFORMATION ABOUT, AND ACCESS TO, DETAINED AMERICANS, CAN FORESEE THAT SUCH AN AGREEMENT WOULD BE DIFFICULT TO IMPLEMENT, PARTICULARLY REQUEST THAT POLICE OR IMMIGRATION AUTHORITIES AT ONCE NOTIFY NEAREST LIMITED OFFICIAL USE

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CONSULAR OR DIPLOMATIC REPRESENTATIVE, WHETHER OR NOT DETAINEE MAKES SUCH A REQUEST. WOULD SEEM THAT ANY AGREEMENT MADE ALONG THESE LINES COMPLICATED BY LARGE NUMBER OF LAW ENFORCEMENT AGENCIES IN US AND WORK DEMANDS ALREADY MADE ON INS. WOULD APPRECIATE DEPT'S INSTRUCTION FOR REPLY TO FOREIGN MINISTRY CONCERNING PROPOSED CHANGES. CARTER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TEXT, DIPLOMATIC NOTES, AMENDMENTS, CONSULAR SERVICES, ARRESTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 28-Apr-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977MONROV02886  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770149-0555  
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**Line Count:** 104  
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**Litigation Codes:**  
**Litigation History:**  
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**Message ID:** 2adfb39b-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION AF  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Retention:** 0  
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**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2659429  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LIBERIAN REQUEST FOR REVISION OF CONSULAR CONVENTION OF 1938  
**TAGS:** CGEN, PINS, PDIP, LI  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
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